

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

SIXTH DAY'S PROCEEDINGS

**Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, April 9, 2003

The House of Representatives was called to order at 2:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth

Erdey
Farrar
Fauchoux
Flavin
Frith
Fruge
Total—103

Morrell
Morrish
Murray
Nevers
Odinet
Perkins

Welch
Winston
Wooton
Wright

ABSENT

Fannin
Total—2

Hutter

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rev. Keith Collins.

Pledge of Allegiance

Rep. Swilling led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of April 8, 2003, was adopted.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 9, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 77
Returned without amendments.

House Concurrent Resolution No. 78
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 9, 2003

To the Honorable Speaker and Members of the House of Representatives:

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I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 13 and 37

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. DeWitt, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 37— BY SENATOR MCPHERSON AND REPRESENTATIVE DEWITT A CONCURRENT RESOLUTION

To posthumously commend officers Jeremy E. "Jay" Carruth and David Ezernack who were killed in the line of duty protecting the citizens of Louisiana putting the safety of others before their own lives and to offer sincere condolences to the families of these young heroes.

Read by title.

On motion of Rep. DeWitt, and under a suspension of the rules, the resolution was concurred in.

Message from the Senate

SENATE BILLS

April 9, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 14, 45, 50, 68, 83, 110, 112, 126, 128, 146, 193, 195, 196, 197, 198, 199, 202, 203, 246, 252, 363, and 860

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Hill, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 14— BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 56:302.9(A)(1), relative to charter boat fishing guide licenses; to provide requirements for issuance of saltwater charter boat guide licenses; and to provide for related matters.

Read by title.

SENATE BILL NO. 45— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:332(E)(1) and (G) and to enact R.S. 56:332(M), relative to a program for removal of abandoned crab traps; to authorize the Louisiana Wildlife and Fisheries Commission to establish such a program; to require promulgation of rules and regulations under the Administrative Procedure Act; and to provide for related matters.

Read by title.

SENATE BILL NO. 50— BY SENATORS THEUNISSEN, HOYT AND MOUNT

AN ACT

To amend and reenact R.S. 17:432(A)(1), (B), (C), (D), and (E) and 432.1(A), (B)(1), (C), (D), and (E), relative to awards for various school employees; to eliminate the limit on the amount of money that may be provided for such awards; to require school board approval of the amount of money provided for such awards; and to provide for related matters.

Read by title.

SENATE BILL NO. 68— BY SENATOR SMITH

AN ACT

To enact R.S. 33:381(C)(27), relative to municipal officers; to provide that the village of Dry Prong shall appoint the chief of police; to provide for the salary, duties, qualifications, and responsibilities of the chief of police; and to provide for related matters.

Read by title.

SENATE BILL NO. 83— BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(c), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

SENATE BILL NO. 110— BY SENATORS HINES AND HOYT

AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to minimum blade length; to prohibit a student from carrying or possessing a knife of any blade length; to provide for the discipline of such student; and to provide for related matters.

Read by title.

SENATE BILL NO. 112—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:10.4(D)(1), relative to school and district accountability; to allow distinguished educators who are active employees of a public postsecondary institution or any city or parish or other local school system to be granted a leave of absence from such employment up to six years; and to provide for related matters.

Read by title.

SENATE BILL NO. 126—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:31(A)(1), the introductory paragraph of (2)(a), (2)(a)(iv), the introductory paragraph of (2)(b), (2)(b)(iv) and (v), and (c), 32(B), the introductory paragraph of 33(A), and 33(A)(2) and (B), and to enact R.S. 17:31(A)(2)(d) and (e), relative to the State Advisory Commission on Teacher Education and Certification; to revise and increase the membership; to provide for the transaction of business; and to provide for related matters.

Read by title.

SENATE BILL NO. 128—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:433(C) and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal awards; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

Read by title.

SENATE BILL NO. 146—

BY SENATOR SMITH

AN ACT

To enact R.S. 25:213(E), relative to parish or municipal libraries; to authorize the governing authority of Winn Parish to authorize the Winn Parish library boards to expend a portion of the library maintenance tax for certain purposes; and to provide for related matters.

Read by title.

SENATE BILL NO. 193—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:471(B)(1), relative to the Louisiana State Employees' Retirement System; to provide for survivor's benefit for a surviving handicapped child; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 195—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:537(F), relative to the Louisiana State Employees' Retirement System; to remove the sunset provision for the partial repayment of refunds; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 196—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:531(A), relative to the Louisiana State Employees' Retirement System; to provide for the payment of employee and employer contributions; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 197—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11: 181(B)(3), relative to Louisiana Clerks of Court Retirement System and Relief Fund; to delete reference to the chairman of the Senate Finance Committee from the provisions of law relating to per diem; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 198—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:513(F)(2), relative to Louisiana State Employees Retirement System; to provide for per diem for attendance at meetings of the board; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 199—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1541, relative to Louisiana Clerks of Court Retirement System and Relief Fund; to provide that the chairman of the Senate Retirement Committee shall serve as an ex officio member; and to provide for related matters.

Read by title.

SENATE BILL NO. 202—

BY SENATOR BOISSIERE

AN ACT

To repeal Act No. 293 of the 1976 Regular Session, relative to the ownership of building property by certain retirement systems; to provide with respect to the ownership of building property of the Teachers' Retirement System of Louisiana, the Louisiana State Employees' Retirement System and the School Employees' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 203—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1931 and to repeal R.S. 11:1930.1, 1930.2, and 1930.3, relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to limitations on benefits payable to highly compensated employees; to provide with respect to compliance with Internal Revenue Code provisions; to repeal authority for early payment of benefits; to repeal provisions relating to limitations on compensation; to repeal provisions relating to transfer of benefits; to repeal authority for computation of retirement benefits; to provide for an effective date; and to provide for related matters.

Read by title.

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SENATE BILL NO. 246—

BY SENATOR SMITH AND REPRESENTATIVE SALTER
AN ACT

To authorize the state to exchange and convey title to certain property in Sabine Parish for certain property owned by Blue Lake Village, Incorporated; and to provide for related matters.

Read by title.

SENATE BILL NO. 252—

BY SENATOR DUPRE

AN ACT

To enact R.S. 40:1496(I), relative to fire protection districts; to provide for the membership of the board of commissioners of the Terrebonne Parish Fire District Number Five; to provide for extending the district into Lafourche Parish; to provide for the terms of office for board members; to provide for the board chairman; and to provide for related matters.

Read by title.

SENATE BILL NO. 363—

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:135 through 135.2, relative to publicly owned cemeteries; to create the Sweet Lake - Grand Lake Community Cemetery District in Cameron Parish; to provide for the district's boundaries, purpose, powers and duties; to provide for a board of commissioners of the district; and to provide for related matters.

Read by title.

SENATE BILL NO. 860—

BY SENATORS DARDENNE AND SCHEDLER

AN ACT

To amend and reenact Civil Code Art. 1499, relative to the usufruct of a surviving spouse; to provide that security shall not be required in certain cases; to provide for exceptions; and to provide for related matters.

Read by title.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 1520—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to the creation of a special taxing district in St. John the Baptist Parish; to create such district; to provide for the purpose for which the district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district and its governing authority including the power of taxation; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE BILL NO. 1771—

BY REPRESENTATIVES LANCASTER AND CAPELLA AND SENATORS
MICHOT AND HAINKEL

AN ACT

To amend and reenact R.S. 39:21.3(C)(1) and to enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4011, 4012, 4015 through 4020, and 4025 through 4027, R.S. 36:651(F), and R.S. 39:21.3(C)(2)(f), relative to the establishment of the Louisiana Parental Choice in Education Program; to provide legislative findings and the program's purpose; to establish and provide for requirements to participate in the program; to provide with regard to the eligibility of students and parents and the eligibility and requirements for public schools, charter schools, and private and parochial schools; to provide definitions; to provide for certain scholarships; to provide relative to funding; to provide relative to accountability; to establish and provide for the membership of the Louisiana Parental Choice in Education Commission to manage and administer the program; to provide relative to the powers and duties of the commission; to provide for the adoption of rules; to provide relative to the membership and duties of the Education Estimating Conference; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

HOUSE BILL NO. 1772—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact Civil Code Article 2315.3, relative to damages; to provide for the awarding of exemplary damages for injuries caused by the storage, handling, or transportation of hazardous or toxic substances; to provide for the award of a percentage of damages to the local school board; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 1773—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

HOUSE BILL NO. 1774—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

Motion

On motion of Rep. Baldone, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 49.

HOUSE BILL NO. 49—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:18, relative to justification; to add a necessity and choice of evils circumstance as a defense of justification; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Baldone, the bill was withdrawn from the files of the House.

Motion

On motion of Rep. Baldone, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 50.

HOUSE BILL NO. 50—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:23, 24, and 25 and to enact R.S. 14:25.1, relative to parties to crimes; to add minor accessories as parties to felony crimes; to define "minor accessories"; to amend the definitions of parties, principals, and accessories after the fact; to provide for penalties; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Baldone, the bill was withdrawn from the files of the House.

Motion

On motion of Rep. Cazayoux, the Committee on Education was discharged from further consideration of House Bill No. 63.

HOUSE BILL NO. 63—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 17:112(C) and R.S. 44:4.1(B)(8), relative to student education records; to permit the withholding of copies of a student's education record under certain circumstances; to provide for exceptions; to provide for enforcement; to provide relative to the applicability of public records laws; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Cazayoux, the bill was withdrawn from the files of the House.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 40—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:1844(W)(1) and to enact the Children's Code Art. 811.1(G)(3), relative to rights of certain crime victims; to provide for the rescission of certain confidentiality requirements with respect to information for the AMBER Alert network; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 135—

BY SENATOR GAUTREUX

AN ACT

To amend R.S. 47:2301, 2302(A), 2303, and 2307(A)(2) (introductory paragraph), relative to ad valorem property tax; to provide for use value assessment of certain agricultural land; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 279—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:9038.4(A), relative to cooperative economic development; to require the secretary of the Department of Economic Development to obtain approval of proposed economic development projects from the Joint Legislative Committee on the Budget; to require state bond commission approval for certain cooperative endeavor agreements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 285—

BY SENATORS LENTINI, HEITMEIER, SCHEDLER AND HOLDEN

AN ACT

To amend and reenact R.S. 26:2(8) and 74(A), 271(A)(3), and 274(A), relative to alcoholic beverages; to provide relative to alcoholic beverage permits; to authorize permitting of commercial airlines as liquor retail distribution centers for such beverages; to provide relative to permits for dealers in beverages of low alcoholic content; to provide for permitting of a commercial airline as a retailer for such beverages; to prohibit the requirement of local permits or fees for commercial airlines; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

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SENATE BILL NO. 293—

BY SENATORS DARDENNE AND SCHEDLER
AN ACT

To amend and reenact R.S. 47:303.1(B), (C) and (D), relative to state and local sales and use taxes; to provide that private, non-profit, tax-exempt organizations may apply for a Direct Payment Number by which to remit such taxes owed; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 306—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1232.6 and 1232.7(B), and to enact R.S. 40:1231(22) and (23) and R.S. 40:1232.3(8), relative to emergency medical personnel; to provide for imposition of fines and payment of costs of disciplinary matters; and to provide for more explicit language regarding criminal offenses by those regulated by the Emergency Medical Services Certification Commission; to provide for subpoenas for hearings before the commission; to provide for particular definitions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 332—

BY SENATOR CRAVINS

AN ACT

To enact Chapter 4 of Title XVI of the Children's Code, to be comprised of Articles 1661 through 1673, and to repeal Children's Code Articles 1623 through 1657, relative to the Interstate Compacts Affecting Children; to provide for the adoption of a revised Interstate Compact for Juveniles; to authorize the state to join the Interstate Compact for Juveniles; to provide for its purpose; to provide for definitions; to provide for the form of the compact; to create the Interstate Commission for Juveniles; to provide for its membership and duties; to create a State Council for Interstate Juvenile Supervision; to provide for its membership and duties; to provide for an effective date; to repeal a prior compact; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 457—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 13:2586(D) and to enact R.S. 13:2586(C)(4) and 2587.2, relative to jurisdiction for justice of the peace courts; to authorize justice of the peace courts to have jurisdiction over certain objects that have been removed, abandoned or disposed of; to provide for appellate procedure for such actions; to provide for fines and penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 505—

BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(h), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 513—

BY SENATOR C. JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 317 relative to unsecured personal surety; to permit personal surety bond to be posted by a qualified state resident; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 552—

BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 903(A), relative to delinquency; to provide with respect to disposition hearings; to provide that judges shall not base any judgment of disposition of a juvenile on certain factors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVES MONTGOMERY, BAYLOR, FARRAR, FAUCHEUX, HILL, HUNTER, LANDRIEU, ODINET, AND TOWNSEND

A CONCURRENT RESOLUTION

To direct the House Committee on Ways and Means to study the impact of the constitutional amendment, commonly referred to as the "Stelly Plan", on individual taxpayers and the state budget.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the resolution was ordered engrossed and passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 11—
BY REPRESENTATIVE STRAIN
AN ACT

To name a portion of Louisiana Highway 59 in St. Tammany Parish the R.H. "Bill" Strain Memorial Highway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 18—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to license plates; to provide for creation of a special prestige license plate for active commissioned police officers; to provide for fees for such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 40—
BY REPRESENTATIVES ILES AND DIEZ
AN ACT

To enact R.S. 47:463.111, relative to motor vehicle special prestige license plates; to provide for the creation of a disabled veterans Purple Heart license plate; to provide for the issuance of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 40 by Representative Iles

AMENDMENT NO. 1

On page 1, line 12, after "plate" delete the comma "," and the remainder of the line and line 13 in its entirety and insert a period "." and "The license plate"

AMENDMENT NO. 2

On page 2, delete lines 8 and 9 in their entirety and insert:

"the words "PURPLE HEART" and "DISABLED VETERAN". The"

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 44—
BY REPRESENTATIVE STRAIN
AN ACT

To name a portion of U.S. Highway 190 in St. Tammany Parish the Ronald Reagan Highway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 128—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 9:2795.3, relative to limitation of liability for motorized off-road vehicle activities; to provide for definitions; to provide for limitations of liability in certain circumstances; to provide for exceptions; to provide for the posting of signs and warnings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Johns, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 184—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:263(B) and 416 and to enact R.S. 6:263(C), relative to bank stock; to provide for repurchase and redemption of a bank's own stock; to provide for loans on pledge of a bank's own stock; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 186—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 12:1302(A) and to enact R.S. 6:211(C) and R.S. 12:1306(E), relative to financial institutions; to authorize financial institutions to organize and operate as limited liability companies; to provide for rules; to delete the prohibition against limited liability companies being formed for banking purposes; to authorize use of the word "bank" and other related words in the

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name of certain limited liability companies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 186 by Representative Pinac

AMENDMENT NO. 1

On page 2, delete lines 21 through 24 and insert "E. If a limited liability"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 242—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To provide relative to state highways; to name a portion of Louisiana Highway 75 as the Martin Luther King, Jr. Parkway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 267—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 47:302.23(B), relative to the hotel/motel sales tax dedications in Vermilion Parish; to correct the name of an entity to which funds are allocated; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 287—

BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER

AN ACT

To recognize a portion of Louisiana Highway 23 in Gretna as the Mel Ott Parkway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 328—

BY REPRESENTATIVE NEVERS

AN ACT

To enact R.S. 47:463.111, relative to motor vehicle prestige license plates; to provide for the creation of a prestige license plate to honor and promote foster parenting and adoption; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 329—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:721 and 1271 and to repeal R.S. 6:1272, 1273, and 1274, relative to amendments and restatement of the articles of incorporation of certain financial institutions; to provide the same amendment and restatement procedures for state banks, savings and loan associations, and savings banks; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 394—

BY REPRESENTATIVES SCALISE AND BOWLER

AN ACT

To amend and reenact R.S. 47:463.61(A), relative to vehicles for which the existing Choose Life license plates may be issued; to authorize the issuance of the Choose Life prestige license plate for motorcycles; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 394 by Representatives Scalise and Bowler

AMENDMENT NO. 1

On page 1, line 16, after "vehicles" and the period "." and before "The" insert the following:

"However, there must be a minimum of one thousand applicants for motorcycle license plates."

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 407—

BY REPRESENTATIVE JOHNS

AN ACT

To provide relative to state highways; to name a portion of Louisiana Highway 3063, from Vinton to Louisiana Highway 109, as Delta Downs Drive; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 479—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 9:1113, relative to the partition of immovable property; to provide for private sale in certain circumstances; to provide for petition by minority interests for partition; to provide for appraisal; to provide for time limitations; to provide for distribution of proceeds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 479 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 25, after "the" and before "of" change "number" to "percentage of ownership"

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 517—

BY REPRESENTATIVES JOHNS, BALDONE, BROOME, BRUCE, DOERGE, FRITH, M. JACKSON, AND PINAC

AN ACT

To amend and reenact R.S. 6:333(F)(14) and R.S. 46:236.1(D)(1)(d)(ii) and (v), relative to the financial institution data match system; to require financial institutions to report the average daily account balance on all accounts for noncustodial parents who owe past-due support; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 519—

BY REPRESENTATIVES JOHNS, R. CARTER, AND FRUGE

AN ACT

To enact R.S. 37:1737, relative to civil liability; to provide an exemption from liability for those engaged in certain "Amber Alert" activities; to provide immunity to state and local law enforcement, radio, television and cable operators, the Lottery Corporation, and those associations and foundations engaged in the "Amber Alert" effort; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Johns, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 573—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 39:75(C)(2) and to enact R.S. 39:75(E)(4), relative to state funds; to provide with respect to budgetary actions executed to cure a budget deficit or to avoid a projected budget deficit; to provide with respect to a reduction in an appropriation or the transfer of funds from the Louisiana Quality Education Support Fund; to require equal apportionment between the Board of Regents and the State Board of Elementary and Secondary Education of any reductions to appropriations resulting from a transfer of funds from the Louisiana Quality Education Support Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 573 by Representative Crane and Senator Theunissen

AMENDMENT NO. 1

On page 2, line 21, after "Paragraph," and before "reductions" insert "the total dollar amount of"

AMENDMENT NO. 2

On page 3, line 17, after "Fund," and before "any" insert "the total dollar amount of"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

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Under the rules, placed on the regular calendar.

HOUSE BILL NO. 602—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 47:463.111, relative to motor vehicle prestige license plates; to provide for the creation of a Louisiana organ donation prestige license plate; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 737—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 35:1.1(A), 191(C)(3), and 391(6), relative to notaries; to provide for an increase in the amount of the required bond for non-attorney and ex officio notaries; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Johns, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 830—

BY REPRESENTATIVES HAMMETT, BAYLOR, FARRAR, FAUCHEUX, HILL, HUNTER, LANDRIEU, ODINET, AND TOWNSEND AND SENATOR BARHAM

AN ACT

To enact R.S. 47:1607, relative to refunds issued to a taxpayer in error; to require the secretary to remove or reduce interest on certain refunds issued to a taxpayer in error; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 893—

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM
AN ACT

To amend and reenact R.S. 47:1511, relative to the authority of the secretary of the Department of Revenue to promulgate rules and regulations; to require compliance with the Administrative Procedure Act; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 932—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE
AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "America's WETLAND" prestige license plate to promote Louisiana's coastal wetlands and coastal wetland restoration; to provide relative to the fee for such plate; to provide for the design of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 998—

BY REPRESENTATIVES GALLOT AND L. JACKSON
AN ACT

To amend and reenact Code of Civil Procedure Article 966(B), relative to the motion for summary judgment; to provide for delays for filing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 998 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 17, after "least" and before "days" change "eight" to "five"

AMENDMENT NO. 2

On page 2, line 1, after "Rules" and before "Louisiana" change "of" to "for"

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1007—

BY REPRESENTATIVES BRUNEAU AND RICHMOND AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 8:1(7) and (26), 656, 657, 658, 661, and 662 and R.S. 37:831(9), (16), and (23), 846(A)(6), (11), (13), and (14) and 849 and to enact R.S. 37:831(53) through (70) and 846(A)(16) through (19), and Part III of Chapter 10 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:871 through 885, relative to crematories; to provide for

definitions; to provide for records of cemetery authorities; to provide relative to the Louisiana State Board of Embalmers and Funeral Directors; to provide for grounds for administrative action; to provide for injunction proceedings; to prohibit certain actions; to provide for qualifications for licenses and exceptions; to provide for renewal of licenses; to provide for license fees; to provide for authorizing agents for cremation; to provide for authorizations to cremate and refusals to cremate; to provide for cremation containers; to provide for cremation procedures and delivery and packaging of cremated human remains; to provide for the disposition of cremated human remains; to provide for violations and penalties; to provide relative to liability; to provide for administration and the promulgation of rules and regulations; to provide relative to pre-arranged or prepaid cremation services; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1007 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 4, after "through" and before "and 846(A)(16)" change "(71)" to "(70)"

AMENDMENT NO. 2

On page 4, at the beginning of line 14, change "(71)" to "(70)"

AMENDMENT NO. 3

On page 4, line 22, after "container" and before the comma "," insert "which is designed for the encasement of human remains for religious services or other rites or ceremonies"

AMENDMENT NO. 4

On page 4, at the beginning of line 24, delete "plastic."

AMENDMENT NO. 5

On page 4, line 25, after "combustible," delete the remainder of the line and on page 5, delete line 1 and insert "for"

AMENDMENT NO. 6

On page 5, line 4, after "interment," delete the remainder of the line and insert "burial, ~~or~~ cremation, or anatomical donation"

AMENDMENT NO. 7

On page 5, line 5, after "body" and before "or cremated" insert a comma "," and insert "parts of a dead human body."

AMENDMENT NO. 8

On page 7, delete lines 15 through 17 and at the beginning of line 18, change "(66)" to "(65)"

AMENDMENT NO. 9

On page 8, at the beginning of line 1, change "(67)" to "(66)"

AMENDMENT NO. 10

On page 8, at the beginning of line 4, change "(68)" to "(67)"

AMENDMENT NO. 11

On page 8, at the beginning of line 7, change "(69)" to "(68)"

AMENDMENT NO. 12

On page 8, at the beginning of line 10, change "(70)" to "(69)"

AMENDMENT NO. 13

On page 8, at the beginning of line 15, change "(71)" to "(70)"

AMENDMENT NO. 14

On page 9, line 10, after "request of the" delete the remainder of the line

AMENDMENT NO. 15

On page 9, line 11, before "person" delete "representative if there is no next of kin, or"

AMENDMENT NO. 16

On page 9, line 12, after "body" delete the remainder of the line, delete line 13, and insert "or cremated human remains."

AMENDMENT NO. 17

On page 15, line 11, after "whose" and before "disposition" delete "final"

AMENDMENT NO. 18

On page 15, line 14, after "the" and before "disposition" delete "final"

AMENDMENT NO. 19

On page 17, line 2, after "pacemakers or" and before "hazardous" insert "other"

AMENDMENT NO. 20

On page 19, line 8, after "pacemaker" and before "in the" insert a comma "," and insert "or other hazardous implants"

AMENDMENT NO. 21

On page 19, line 10, after "pacemaker" and before "before" insert a comma "," and insert "or other hazardous implants"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1010—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:633(9)(d)(i), (ii), and (iii), to change the source of price data used to annually adjust the severance tax rate on natural gas, natural gasoline, casinghead gasoline, and other

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natural gas "liquids"; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1010 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 12, after "of the" delete the remainder of the line, delete line 13 in its entirety, and at the beginning of line 14, delete "Week" and insert the following:

"New York Mercantile Exchange (NYMEX) Henry Hub settled price on the last trading day for the month, as reported in the Wall Street Journal"

AMENDMENT NO. 2

On page 2, line 16, after "monthly" and before "spot" insert "average" and after "market" and before "of" delete "price" and insert "prices"

AMENDMENT NO. 3

On page 2, line 17, after "Gas" and before "for the" delete "Week" and insert "Clearing House"

AMENDMENT NO. 4

On page 2, line 18, after "1990" and before the period "." insert "(1.7446 Z/MMBTU)", and after the period "." and before "The" insert the following:

"For the twelve-month period ending March 31, 2003, the monthly average gas prices used in making the numerator of the "gas base rate adjustment", the average gas prices for the months April, 2002 through September, 2002 shall be the monthly average spot market price of gas fuels delivered into the pipelines into Louisiana as reported in the Natural Gas Clearing House, and the average gas prices for the months October, 2002 through March, 2003 shall be the New York Mercantile Exchange (NYMEX) Henry Hub settled price on the last trading day for the month, as reported in the Wall Street Journal."

AMENDMENT NO. 5

On page 3, line 1, after "If" and before "is" delete "the Natural Gas Week" and insert the following:

"publication of the NYMEX Henry Hub average monthly gas price data"

AMENDMENT NO. 6

On page 3, line 5, after "If the" and before "is" delete "Natural Gas Week" and insert the following:

"base data of the NYMEX Henry Hub average monthly gas price"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1036—

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM
AN ACT

To amend and reenact R.S. 47:1519(B), relative to the payment of taxes by electronic funds transfer; to authorize the secretary of the Department of Revenue to require electronic funds transfer for certain taxpayers; to provide for a date of delivery; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1037—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:101(A), relative to banking; to provide for the authority of the commissioner of financial institutions; to provide for the authority of the legislature; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1048—

BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 9:2800.2, relative to social workers; to provide for the limitation of liability of social workers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1048 by Representative Broome

AMENDMENT NO. 1

On page 1, at the end of line 15, after "psychiatrist," add "licensed"

AMENDMENT NO. 2

On page 1, at the beginning of line 16, delete "credentialed"

AMENDMENT NO. 3

On page 1, line 17, after "worker," and before "under" change "licensed" to "credentialed"

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1066—

BY REPRESENTATIVES HAMMETT AND HUNTER AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:306(A)(1)(b) and (3)(a) and (B)(4), relative to the state sales and use tax; to change the filing requirements; to provide with respect to dealer compensation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1098—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 38:2181(D), relative to public contracts; to provide for the venue for suits to enjoin the award of a competitively bid contract; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1098 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, change "39:2181(D)" to "38:2181(D)"

AMENDMENT NO. 2

On page 1, line 6, change "39:2181(D)" to "38:2181(D)"

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1120—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 8:70 and 73(B), relative to cemeteries; to increase the fee for new or renewal certificates of authority to operate a cemetery; to increase annual regulatory fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 9:2772(A)(introductory paragraph) and (2), (B)(1)(a), and (G), R.S. 12:23(E)(2), 304(C)(2), 1171(A), 1173, 1178(C), and 1179(A) and (C), R.S. 14:63(G)(1), 63.9(B)(2), and 63.12(D), R.S. 36:509(C), R.S. 37:681, 682, 688, 689, 690, 691(B), 692, 693, 694, 696, 697, 697.1, 698, 700, 701, 702, 1736(A)(4) and (5) and (B), and 2950(D)(1)(a)(x), R.S. 41:642(B) and 1702(C), R.S. 44:41, and R.S. 56:438, to enact R.S. 12:204(F) and 1306(E), and to repeal R.S. 37:699, relative to professional engineers and professional land surveyors; to revise various statutes to reflect the proper designation of the Louisiana Professional Engineering and Land Surveying Board; to revise certain operating procedures of the board; to provide rules for regulation of business entities other than corporations; to provide for disciplinary and enforcement actions and a procedure for such actions; to provide for misdemeanors; to provide for fines for certain acts and offenses; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1146 by Representative Hammett

AMENDMENT NO. 1

On page 25, line 15, after "discipline" and before the comma "," insert "or sub-discipline"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1148—

BY REPRESENTATIVE ERDEY

AN ACT

To amend Section 9(B)(12) of Act No. 73 of the 2002 Regular Session of the Louisiana Legislature, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in Livingston Parish for Fiscal Year 2002-2003; to provide for the retroactive application of this Act; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

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Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1168—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To name a certain portion of Louisiana Highway 75 the Point Clair Thruway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1270—

BY REPRESENTATIVES WINSTON, HUDSON, LAFLEUR, LEBLANC, MCDONALD, MURRAY, NEVERS, SALTER, JOHN SMITH, STELLY, THOMPSON, AND WELCH AND SENATOR IRONS

AN ACT

To amend and reenact R.S. 39:31(F)(2) and to enact R.S. 39:31(C)(9), relative to budgetary procedure; to require inclusion of certain information in agency operational and strategic plans; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1570—

BY REPRESENTATIVE DANIEL AND SENATOR HOYT

AN ACT

To amend and reenact R.S. 36:358(C) and R.S. 49:968(B)(11), to enact R.S. 36:359(K), R.S. 38:3076(A)(24), 3087.136(4), and Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of 3097.1 through 3097.6, and to repeal R.S. 36:4(X) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, relative to ground water resources in the state of Louisiana; to provide for the powers, duties, functions, and responsibilities of the commissioner of conservation relative to ground water management; to create the Ground Water Resources Commission; to provide for the powers, duties, functions, and responsibilities of the commission; to provide for determination of critical ground water areas; to provide for preservation and management of ground water resources in critical ground water areas; to provide for duties of the Sparta Groundwater Conservation District and the Capital Area Groundwater Conservation District; to provide for registration for certain water wells; to provide for the Ground Water Management Task Force; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Original House Bill No. 1570 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "and" and before "49:968(B)(11)," insert "R.S."

AMENDMENT NO. 2

On page 1, line 3, after "36:359(K)," and before "38:3076(A)(24)," insert "R.S."

AMENDMENT NO. 3

On page 4, line 19, delete "waters," and insert "waters and preservation of the state's ecological welfare."

AMENDMENT NO. 4

On page 5, line 6, delete "supercede" and insert "supersede"

AMENDMENT NO. 5

On page 5, line 19, after "appropriate," delete "The" and insert "Consistent with the provisions of this Chapter and in consultation with the commissioner, the"

AMENDMENT NO. 6

On page 6, line 26, delete "contain" and insert "contains"

AMENDMENT NO. 7

On page 7, line 11, delete "during" and insert "since"

AMENDMENT NO. 8

On page 7, at the end of line 11, delete "years" and delete line 12 in its entirety and insert "year 1997."

AMENDMENT NO. 9

On page 7, at the end of line 14, delete "diameter." and insert the following:

"diameter, or as defined by rules and regulations promulgated by the commissioner pursuant to the Administrative Procedure Act."

AMENDMENT NO. 10

On page 7, line 19, after "within" and before "the" insert "one thousand feet of the original well and within"

AMENDMENT NO. 11

On page 7, between line 22 and 23 insert the following:

"(12) "Spacing" means the distance a water well may be located in relation to an existing or proposed water well, regardless of property boundaries."

AMENDMENT NO. 12

On page 7, at the beginning of line 23, delete "(12)" and insert "(13)"

AMENDMENT NO. 13

On page 8, at the beginning of line 1, delete "(13)" and insert "(14)"

AMENDMENT NO. 14

On page 8, at the beginning of line 4, delete "(14)" and insert "(15)"

AMENDMENT NO. 15

On page 8, line 14, delete "advise" and insert "advice"

AMENDMENT NO. 16

On page 8, line 17, delete "jurisdiction." and insert "jurisdictions."

AMENDMENT NO. 17

On page 9, line 14, after "all" delete "wells." and insert "new wells by the owners."

AMENDMENT NO. 18

On page 9, line 16, after "driller." delete "if available."

AMENDMENT NO. 19

On page 10, delete line 5 in its entirety

AMENDMENT NO. 20

On page 10, line 6, delete "(v)" and insert "(iv)"

AMENDMENT NO. 21

On page 10, delete lines 7 through 9 in their entirety and insert the following:

"(v) All other wells the commissioner exempts for just cause."

AMENDMENT NO. 22

On page 10, line 13, after "further" insert "reasonable"

AMENDMENT NO. 23

On page 10, line 14, after "action." delete the remainder of the line and delete lines 15 through 26 in their entirety and on page 11, delete lines 1 and 2 and insert the following:

"Prior to any order placing a restriction on a well, the commissioner shall determine, on the basis of good management practices and sound science, that such action is necessary to prevent adverse impacts to the sustainability of the aquifer from which the proposed well is to produce. An order placing restrictions on spacing may also be issued to avoid direct adverse impacts to existing wells. Restrictions and requests for information shall be subject to the following:

(i) For large volume wells or wells within a critical ground water area, the commissioner may issue to the owner of such well an order fixing allowable production, spacing, and metering necessary to properly manage the state's ground water resources consistent with R.S. 38:3097.6(B)(3).

(ii) For all other wells located outside a critical ground water area, an order issued by the commissioner may only fix spacing of the well.

(iii) If more information is requested, the commissioner shall have an additional thirty days after receiving the additional information for review. The commissioner's request for further information may be appealed to the commission to determine the reasonableness of the request. Such determination shall be made within forty-five days from the date of the appeal."

AMENDMENT NO. 24

On page 11, line 8, after "state's" delete "ground"

AMENDMENT NO. 25

On page 11, at the beginning of line 21, delete "order and" and insert "order."

AMENDMENT NO. 26

On page 11, delete line 23 in its entirety and insert the following:

"conditions, and may fix the allowable production, spacing, and depth for wells within the area in such a way that the combined production of ground water will not have long-term adverse effects on the aquifer."

AMENDMENT NO. 27

On page 12, between lines 4 and 5 insert the following:

"(10) Enter interagency agreements and interstate compacts in order to manage ground water resources. Such interstate compacts shall only be entered upon approval of the House Committee on the Environment and the Senate Committee on Environmental Quality."

AMENDMENT NO. 28

On page 12, line 10, after "area." delete the remainder of the line and delete lines 11 and 12 in their entirety

AMENDMENT NO. 29

On page 13, between lines 2 and 3 insert the following:

"(8) The secretary of the Department of Transportation and Development or his designee.

(9) The director of the Governor's Office of Coastal Activities or his designee."

AMENDMENT NO. 30

On page 13, at the beginning of line 3, delete "(8)" and insert "(10)"

AMENDMENT NO. 31

On page 13, at the beginning of line 5, delete "(9)" and insert "(11)"

AMENDMENT NO. 32

On page 13, line 9, delete "Association." and insert "Association."

AMENDMENT NO. 33

On page 13, at the beginning of line 10, delete "(10)" and insert "(12)"

AMENDMENT NO. 34

On page 13, at the beginning of line 12, delete "(11)" and insert "(13)"

AMENDMENT NO. 35

On page 13, at the beginning of line 14, delete "(12)" and insert "(14)"

AMENDMENT NO. 36

On page 13, at the beginning of line 16, delete "(13)" and insert "(15)"

AMENDMENT NO. 37

On page 13, at the beginning of line 19, delete "(14)" and insert "(16)"

AMENDMENT NO. 38

On page 13, at the beginning of line 22, delete "(15)" and insert "(17)"

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AMENDMENT NO. 39

On page 13, at the beginning of line 25, delete "(16)" and insert "(18)"

AMENDMENT NO. 40

On page 13, after line 26, insert the following:

"(19) One member appointed by the governor from a list of three names submitted by the Louisiana Wildlife Federation, Coalition to Restore Coastal Louisiana, and the Barataria-Terrebonne National Estuary Program."

AMENDMENT NO. 41

On page 14, line 16, after "approve" and insert "or reject"

AMENDMENT NO. 42

On page 15, delete line 19 and insert the following:

"(5) The commission may direct the commissioner to promulgate rules and regulations for the appointment or designation of up to five"

AMENDMENT NO. 43

On page 15, delete line 24 in its entirety and at the beginning of line 25, delete "commission" and insert the following:

"(6) At their discretion, attend all public meetings"

AMENDMENT NO. 44

On page 16, line 5, delete "on a well registration"

AMENDMENT NO. 45

On page 16, delete lines 22 through 25 in their entirety

AMENDMENT NO. 46

On page 17, line 9, delete "30:3097.2(9)." and insert "30:3097.2(2)."

AMENDMENT NO. 47

On page 17, at the beginning of line 10, delete "application" and insert "application, good management practices."

AMENDMENT NO. 48

On page 17, line 17, after "based on" insert "good management practices and"

AMENDMENT NO. 49

On page 17, line 23, delete "resource" and insert "resources"

AMENDMENT NO. 50

On page 17, line 26, delete "Incentive" and insert "Incentives"

AMENDMENT NO. 51

On page 18, line 2, after "withdrawals" delete "is" and insert "are"

AMENDMENT NO. 52

On page 19, delete lines 23 through 24 and insert the following:

"(8) The Louisiana State Conservationist, USDA Natural Resources Conservation Service or his designee."

AMENDMENT NO. 53

On page 21, line 19, after "Louisiana" delete "Water Well Drillers" and insert "Ground Water"

AMENDMENT NO. 54

On page 22, delete lines 17 and 18 in their entirety

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1609—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 39:84.1, relative to certain personnel transactions; to provide for the method by which certain personnel positions are to be filled; to require certain information relative to such positions to be submitted in the budget request; to require certain information to be reported to the legislature; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1609 by Representative Scalise

AMENDMENT NO. 1

On page 1, delete lines 9 through 16 in their entirety, and insert the following:

"§84.1. Increases in authorized positions; temporary job appointment; budget request; report to the legislature

A. In the event new or additional positions are created as a result of an increase in the number of authorized positions for each department, agency, or program after enactment of the initial operating budget, such positions shall not be"

AMENDMENT NO. 2

On page 2, at the end of line 5, delete "personnel" and at the beginning of line 6, delete "table or in the"

AMENDMENT NO. 3

On page 2, line 14, after "increase in the" and before "number" delete "personnel table or in the"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1623—
BY REPRESENTATIVES LEBLANC, LANCASTER, AND MURRAY
AN ACT

To enact Chapter 8-B of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1400.21, relative to special treasury funds; to establish the Help Louisiana Vote Fund as a special fund in the state treasury; to establish accounts within the fund for certain purposes; to provide for deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1623 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, at the beginning of line 7, change "effectiveness" to "an effective date"

AMENDMENT NO. 2

On page 2, line 5, after "one of" delete the remainder of the line in its entirety and insert:

"the following five accounts. Within ten days of receipt of any federal monies by the state treasurer, the secretary of state shall provide written instructions to the state treasurer with respect to the specific account into which such monies shall be deposited."

AMENDMENT NO. 3

On page 2, line 8, after "pursuant to" and before "Title I" insert "Section 101 of"

AMENDMENT NO. 4

On page 2, between lines 13 and 14, insert

"(2) The Voting Systems Account is established within the fund, into which the state treasurer shall deposit monies received pursuant to Section 102 of Title I of HAVA with respect to replacement of punch card and lever voting systems or to reimburse the state for expenditures made after January 1, 2001, for replacement of such systems. Reimbursement monies received under Section 102 of Title I of HAVA which are deposited into this account shall only be appropriated for the replacement of lever voting systems or to satisfy the state's responsibilities under Title II of HAVA. All other monies in this account shall only be appropriated for the replacement of lever voting systems."

AMENDMENT NO. 5

On page 2, line 14 change "(2)" to "(3)"

AMENDMENT NO. 6

On page 2, line 22, change "(3)" to "(4)"

AMENDMENT NO. 7

On page 3, line 6, change "(4)" to "(5)"

AMENDMENT NO. 8

On page 3, line 21, change "four" to "five"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1769 (Substitute for House Bill No. 698 by Representative Pinac)—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1568.1, relative to orders of the fire marshal; to provide that the fire marshal shall order an investigation of any fire resulting in any human death; and to provide for related matters.

Read by title.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**House Bills and Joint Resolutions on
Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 64—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 1922, relative to money judgments; to require the inclusion of date of birth of the judgment debtors; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pinac
Alario	Glover	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Johns	Sneed
Crane	Kennard	Stelly
Curtis	Kenney	Strain

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Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinot	Wooton
Frith	Peychaud	Wright
Fruge	Pierre	
Total—92		

NAYS

Alexander	Katz
Total—2	

ABSENT

Broome	Futrell	Morrish
Crowe	Hutter	Perkins
Doerge	Jackson, M	Smith, J.R.—30th
Fannin	LaFleur	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Rep. Baldone, the motion to reconsider the vote by which House Bill No. 64 finally passed was called from the table.

Suspension of the Rules

On motion of Rep. Baldone, the rules were suspended to reconsider the vote by which House Bill No. 64 finally passed on the same legislative day.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

HOUSE BILL NO. 64—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 1922, relative to money judgments; to require the inclusion of date of birth of the judgment debtors; and to provide for related matters.

Read by title.

On motion of Rep. Baldone, the vote by which the above House Bill finally passed was reconsidered.

Returned to the calendar under the rules.

HOUSE BILL NO. 64—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 1922, relative to money judgments; to require the inclusion of date of birth of the judgment debtors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—96		

NAYS

Total—0

ABSENT

Broome	Fannin	Perkins
Crowe	Hutter	Schneider
Doerge	Jackson, M	Smith, J.R.—30th
Total—9		

The Chair declared the above bill was finally passed.

HOUSE BILL NO. 126—

BY REPRESENTATIVES MONTGOMERY AND WALKER

AN ACT

To amend and reenact R.S. 20:1(A)(2), relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Montgomery, the bill was returned to the calendar.

HOUSE BILL NO. 179— BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 9:2715(B)(1), relative to the transfer of structured settlement rights; to provide for venue for filing the ex parte petition in the parish in which the payee resides; and to provide for related matters.

Read by title.

Rep. Powell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Crane	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Früge	Odinot	Wright
Total—96		

NAYS

Total—0

ABSENT

Broome	Fannin	Jackson, M
Crowe	Gallot	Perkins
Doerge	Hutter	Smith, J.R.—30th
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Powell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 226— BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:102(A)(introductory paragraph) and to enact R.S. 12:102(A)(6), relative to business corporations' annual reports; to provide that an agent may make and sign an annual report; to provide the name, address, telephone number, and electronic e-mail address of the person submitting the annual report; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Früge	Nevers	
Total—95		

NAYS

Total—0

ABSENT

Broome	Hutter	Smith, J.R.—30th
Crowe	Jackson, M	Welch
Doerge	Perkins	
Fannin	Smith, J.H.—8th	
Total—10		

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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 227—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:308(D), relative to foreign corporations; to provide for written notice of resignations of registered agents; to provide for mailing of notices to principal place of business; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Darte	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Frige	Nevers	Wright
Futrell	Odinot	
Total—98		

NAYS

Total—0

ABSENT

Bruce	Fannin	Smith, J.R.—30th
Crowe	Hutter	
Doerge	Perkins	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 228—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:1308(E)(1) and 1308.1(A)(introductory paragraph) and to repeal R.S. 12:1308(E)(2), relative to limited liability companies' registered agents; to provide for an agent's resignation; to provide for filing an annual report; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Darte	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Frige	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Crowe	Fannin	Perkins
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Doerge Hutter Smith, J.R.—30th
Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 229—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:1350(D), relative to foreign limited liability companies; to provide for written notices of resignations by registered agents; to provide for mailing of notices to the principal place of business; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Crowe Fannin Perkins

Doerge Hutter Smith, J.R.—30th
Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 333—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1472.3(A) and R.S. 51:655(A) and (B)(2) and 658(A)(2) and to enact R.S. 51:650(9) through (12) and 655(E), relative to fireworks; to revise provisions relative to the public display of fireworks; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 333 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 18, change "means" to "includes" and change "is" to "means"

AMENDMENT NO. 2

On page 5, line 4, following "person" and before "is" change "who" to "if any of the following apply: (a) The applicant"

AMENDMENT NO. 3

On page 5, line 5, following "felon" and before "fails" change "or" to ". (b) The applicant"

AMENDMENT NO. 4

On page 5, line 6, following "Subsection" change "and the following:" to a period "."

AMENDMENT NO. 5

On page 5, line 7, change "(a)" to "(c)"

AMENDMENT NO. 6

On page 5, line 12, change "(b)" to "(d)"

On motion of Rep. Salter, the amendments were adopted.

Rep. Pinac moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Früge	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Hutter	Walsworth
Fannin	Smith, J.R.—30th	
Total—5		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 340— BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 13:3204(A) and 3205, relative to personal jurisdiction over nonresidents; to provide for service of process in divorce proceedings; to provide for service of process in summary proceedings; to provide for the rendering of judgments; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Früge	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Doerge	Hutter
Fannin	Smith, J.R.—30th
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 398— BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 1734.1, relative to deposits for jury trials; to provide for the discretionary authority of the court in setting the amount of the deposit; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 398 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 17, following "hundred" and before "for" insert "dollars"

On motion of Rep. Salter, the amendments were adopted.

Rep. Baldone moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Total—101		

NAYS

Total—0

ABSENT

Fannin	Smith, J.R.—30th
Hutter	Swilling
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 701— BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1563(B)(4), 1573, and 1575, relative to fire protection; to prohibit the fire marshal from inspecting "one- or two-family dwellings"; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 701 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 10, following "family" change "dwellings" to "dwelling"

On motion of Rep. Salter, the amendments were adopted.

Rep. Pinac moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton

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Flavin
Frith
Fruge
Total—100

Murray
Nevers
Odinet

Wright

NAYS

Total—0

ABSENT

Doerge
Fannin
Total—5

Hutter
Smith, J.R.—30th

Walsworth

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 963—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 38:27, relative to damage claims against the state, its agencies, or employees related to the failure, operation, or approval of a dam located in this state; to define "dam"; to include the Toledo Bend Dam; and to provide for related matters.

Read by title.

Rep. Salter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Downer
Downs
Durand
Erdey
Farrar
Faucheux

Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
Lancaster
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray

Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch

Flavin
Frith
Fruge
Total—99

Nevers
Odinet
Perkins

Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Carter, K
Doerge
Total—6

Fannin
Hutter

LaFleur
Landrieu

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Salter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1629—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625(C)(2)(b) and (9)(introductory paragraph) and 1628(A)(3)(b) and (B)(3), relative to fire protection engineers and mechanical engineers; to provide for licensing as fire protection sprinkler systems contractors; to eliminate errors and omissions insurance requirement; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Downer
Downs
Durand
Erdey

Fruge
Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker

Farrar
Faucheux
Flavin
Frith
Total—99

Morrish
Murray
Nevers
Odinet

Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Doerge
Fannin
Total—6

Hutter
LaFleur

Lancaster
Walsworth

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1727—
BY REPRESENTATIVES POWELL AND DANIEL
AN ACT

To amend and reenact R.S. 9:4103(A), relative to alternative dispute resolution; to provide for the referral of a case to mediation by the court; and to provide for related matters.

Read by title.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed House Bill No. 1727 by Representative Powell

AMENDMENT NO. 1

On page 1, line 10, after "mediation." and before "Upon", insert "If the court so moves, then the expenses of mediation shall be paid by the Judicial Expense Fund."

Rep. Farrar moved the adoption of the amendments.

Rep. Powell objected.

By a vote of 55 yeas and 43 nays, the amendments were adopted.

Motion

On motion of Rep. Powell, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 1767—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1563(J) and 1563.4(A) and to enact R.S. 40:1563(K), relative to powers and duties of the fire marshal; to provide for cease and desist orders for violations of fire protection and prevention statutes; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pinac, the bill was returned to the calendar.

HOUSE BILL NO. 397—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 9:292, relative to name changes; to provide for the use of surnames by married women; to provide for the use of a deceased husband's surname; to provide for the use of a former husband's surname; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Green sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed House Bill No. 397 by Representative Green

AMENDMENT NO. 1

On page 1, line 11, after "If" and before "widowed" delete "divorced" and the comma ","

AMENDMENT NO. 2

On page 1, line 11, after "widowed" delete the comma ","

AMENDMENT NO. 3

On page 1, line 13, after "or" and before "husband" change "former" to "present"

AMENDMENT NO. 4

On page 1, after line 13, insert the following:

"If divorced and there are children of the marriage, a woman may use her maiden name or the surname of her former husband, or a hyphenated combination thereof. However, in any case, if a woman hyphenates her surname it shall end in her maiden name or the surname of her present husband."

On motion of Rep. Green, the amendments were adopted.

Rep. Baldone sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed House Bill No. 397 by Representative Green

AMENDMENT NO. 1

On page 1, line 3, after "married" change "women;" to "persons;"

AMENDMENT NO. 2

On page 1, at the beginning and end of line 4, change "husband's" to "spouse's"

AMENDMENT NO. 3

On page 1, line 8, change "woman" to "person"

AMENDMENT NO. 4

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On page 1, delete line 10, and insert "person, at his option, may use his surname, his present spouse's."

AMENDMENT NO. 5

On page 1, line 12, after "remarried" delete the remainder of the line and delete line 13, and insert "a person may use his surname, the surname of his deceased or former spouse, or a hyphenated combination thereof."

On motion of Rep. Baldone, the amendments were adopted.

Rep. Green moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Glover	Powell
Ansardi	Green	Quezaire
Arnold	Guillory	Richmond
Baldone	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Welch
Farrar	Murray	Winston
Faucheux	Odinot	Wooton
Flavin	Peychaud	Wright
Frith	Pierre	
Total—83		

NAYS

Baudoin	Kennard	Nevers
Crowe	Kenney	Perkins
Hill	McVea	Shaw
Katz	Morrish	Thompson
Total—12		

ABSENT

Bruce	Fannin	Tucker
Cazayoux	Fruge	Walsworth
Diez	Hutter	
Doerge	LaFleur	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Green moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 27—

BY REPRESENTATIVE BALDONE

A RESOLUTION

To commend Dr. Donald J. Ayo upon his retirement as president of Nicholls State University, to recognize and record his myriad accomplishments and his remarkable contributions to the university, and to extend to him the best wishes of the House of Representatives as he embarks upon new challenges and endeavors.

Read by title.

On motion of Rep. Baldone, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 28—

BY REPRESENTATIVE L. JACKSON

A RESOLUTION

To commend Bishop Jerry L. Maiden, Sr. upon being elected the National President of the Church of the Living God, the Pillar and Ground of Truth, at the National Assembly in October, 2002.

Read by title.

On motion of Rep. Lydia Jackson, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 79—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of former state representative W.A. "Willie" Williams of Many.

Read by title.

On motion of Rep. Salter, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the U.S. Coast Guard, Eighth Coast Guard District, to coordinate with the Louisiana oil spill coordinator's office efforts to prevent dumping of materials from vessels in state coastal waters.

Read by title.

On motion of Rep. Faucheux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 81—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To create the Louisiana Oyster Industry Development Study Commission.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 82—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries not to oppose the construction of a new interchange and truck route within the Maurepas Wildlife Management Area, but to ensure that natural drainage through the management area is maintained.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 83—
BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review any permits issued to the Lafayette Utility System to operate a land farm for sewerage sludge in St. Landry Parish and take appropriate action for deficiencies.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 84—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences to the family of Trineisha Dené Colomb of Lafayette.

Read by title.

On motion of Rep. Welch, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 85—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences to the family of Carrie Lynn Yoder of Baton Rouge.

Read by title.

On motion of Rep. Welch, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 86—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences to the family of Gina Wilson Green of Baton Rouge.

Read by title.

On motion of Rep. Welch, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 87—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences to the family of Charlotte Murray Pace.

Read by title.

On motion of Rep. Welch, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 88—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences to the family of Pam Kinamore of Baton Rouge.

Read by title.

On motion of Rep. Welch, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

HOUSE BILL NO. 1775—

BY REPRESENTATIVE ANSARDI

AN ACT

To enact R.S. 9:3518.4, relative to consumer credit; to require that in a community property regime the income of both spouses be included in credit transactions of married persons; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1776—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(a), (b), and (c)(i), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to change the dedication of certain monies derived from the conduct of slot machine gaming in Bossier Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1777—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 32:1306(C)(3)(b), relative to motor vehicle inspections; to increase the additional fee for motor vehicle inspections conducted in certain parishes; to provide relative to the disposition of such additional fees; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Administration of Criminal Justice**

April 9, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 21, by Martiny
Reported favorably. (10-0) (Regular)

House Bill No. 234, by Kennard
Reported favorably. (11-0) (Regular)

House Bill No. 604, by Devillier
Reported favorably. (10-0) (Joint Resolution)

House Bill No. 755, by Kennard
Reported favorably. (8-0) (Regular)

House Bill No. 756, by Kennard (Regular)
Reported favorably. (8-0)

House Bill No. 757, by Kennard
Reported favorably. (8-0) (Regular)

House Bill No. 997, by LaFleur
Reported favorably. (10-0) (Regular)

House Bill No. 1021, by Devillier
Reported with amendments. (10-0) (Regular)

House Bill No. 1022, by Devillier
Reported favorably. (9-0) (Regular)

House Bill No. 1023, by Devillier
Reported favorably. (9-0) (Regular)

House Bill No. 1024, by Devillier
Reported favorably. (9-0) (Regular)

House Bill No. 1025, by Devillier
Reported favorably. (9-0) (Regular)

House Bill No. 1351, by LaFleur
Reported with amendments. (9-0) (Regular)

House Bill No. 1352, by LaFleur
Reported with amendments. (10-0) (Regular)

DANIEL MARTINY
Chairman

Report of the Committee on Education

April 9, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Concurrent Resolution No. 1, by Frith

Reported favorably. (15-0)

House Concurrent Resolution No. 59, by DeWitt
Reported favorably. (15-0)

House Bill No. 847, by J. R. Smith
Reported favorably. (10-0) (Local and Consent)

House Bill No. 1342, by DeWitt
Reported with amendments. (16-0) (Regular)

CARL CRANE
Chairman

Report of the Committee on Health and Welfare

April 9, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 95, by Triche
Reported favorably. (10-0) (Regular)

House Bill No. 175, by Bruneau
Reported with amendments. (13-0) (Regular)

House Bill No. 239, by Daniel
Reported with amendments. (10-0) (Regular)

House Bill No. 449, by Triche
Reported favorably. (10-0) (Regular)

House Bill No. 482, by Perkins
Reported favorably. (11-1) (Regular)

House Bill No. 1227, by Bowler
Reported favorably. (12-0) (Regular)

SYDNIE MAE DURAND
Chairman

**Report of the Committee on
House and Governmental Affairs**

April 9, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 13, by Thompson
Reported favorably. (12-0)

House Concurrent Resolution No. 18, by Pinac
Reported with amendments. (12-0)

House Concurrent Resolution No. 25, by Pinac
Reported with amendments. (12-0)

House Bill No. 133, by Pinac
Reported with amendments. (12-0) (Regular)

House Bill No. 324, by Lancaster
Reported favorably. (13-0) (Regular)

House Bill No. 325, by Lancaster
Reported favorably. (13-0) (Regular)

House Bill No. 326, by Lancaster
Reported favorably. (13-0) (Regular)

House Bill No. 858, by Lancaster
Reported with amendments. (13-0) (Regular)

House Bill No. 1208, by Dewitt
Reported favorably. (12-0) (Regular)

House Bill No. 1211, by Bruneau
Reported with amendments. (13-0) (Regular)

House Bill No. 1226, by Thompson
Reported favorably. (12-0) (Regular)

House Bill No. 1768, by Murray
Reported favorably. (13-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Insurance

April 9, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Bill No. 1039, by Winston
Reported favorably. (15-0) (Regular)

House Bill No. 1444, by Hebert
Reported favorably. (10-0) (Regular)

House Bill No. 1445, by Hebert
Reported with amendments. (13-0) (Regular)

House Bill No. 1466, by Hebert
Reported favorably. (12-0) (Regular)

House Bill No. 1477, by Hebert
Reported with amendments. (13-0) (Regular)

House Bill No. 1509, by Hebert
Reported favorably. (12-0) (Regular)

House Bill No. 1511, by Hebert
Reported favorably. (12-0) (Regular)

House Bill No. 1512, by Hebert
Reported favorably. (13-0) (Regular)

House Bill No. 1612, by Townsend
Reported with amendments. (9-6) (Regular)

TROY HEBERT
Chairman

Report of the Committee on Natural Resources

April 9, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources to submit the following report:

House Bill No. 130, by J R Smith
Reported favorably. (9-0) (Local and Consent)

House Bill No. 381, by Hopkins
Reported favorably. (13-0) (Local and Consent)

House Bill No. 495, by Katz
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 498, by Townsend
Reported favorably. (10-0) (Local and Consent)

House Bill No. 606, by Diez
Reported with amendments. (11-0) (Local and Consent)

House Bill No. 607, by Diez
Reported with amendments. (11-0) (Local and Consent)

House Bill No. 608, by Diez
Reported with amendments. (11-0) (Local and Consent)

House Bill No. 609, by Diez
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 610, by Diez
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 718, by L Jackson
Reported favorably. (10-0) (Local and Consent)

House Bill No. 739, by Diez
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 806, by Diez
Reported with amendments. (13-0) (Local and Consent)

House Bill No. 826, by DeWitt
Reported favorably. (9-0) (Regular)

House Bill No. 970, by K Carter
Reported favorably. (10-0) (Local and Consent)

House Bill No. 1567, by K Carter
Reported favorably. (13-0) (Regular)

House Bill No. 1592, by Daniel
Reported with amendments. (11-0) (Regular)

WILFRED PIERRE
Chairman

**House Bills and Joint Resolutions on
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Heaton, the Committee on House and Governmental Affairs was discharged from further consideration of House Bill No. 884.

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6th Day's Proceedings - April 9, 2003

HOUSE BILL NO. 884—

BY REPRESENTATIVE HEATON

AN ACT

To enact Code of Criminal Procedure Articles 893(F) and 894(E) and R.S. 44:9(J), relative to expungement of criminal arrest records under the public records law; to provide for waiver of filing fees in certain cases; to provide for application; to provide for eligibility; and to provide for related matters.

Read by title.

On motion of Rep. Heaton, the bill was recommitted to the Committee on Administration of Criminal Justice.

Motion

Rep. Karen Carter moved that the Committee on House and Governmental Affairs report House Bill No. 1571 in accordance with the provisions of House Rule No. 6.13 on Thursday, April 10, 2003.

Rep. Lancaster objected.

Acting Speaker Hebert in the Chair

Speaker DeWitt in the Chair

By a vote of 35 yeas and 64 nays, the House refused to order the committee to report the bill.

Privileged Report of the Committee on Enrollment

April 9, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 26—

BY REPRESENTATIVE GALLOT

A RESOLUTION

To recognize James Benjamin Haskin, Sr. of Lucky in Bienville Parish upon his one hundredth birthday celebration.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

April 9, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To recognize the month of November as "Diabetes Month" in Louisiana and to promote public awareness of diabetes prevention, education, and management.

HOUSE CONCURRENT RESOLUTION NO. 78—

BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To proclaim April 12, 2003, as Thiels Family Reunion Day in Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Leave of Absence

Rep. Fannin- 1 day

Rep. Hutter - 1 day

Adjournment

On motion of Rep. Thompson, at 4:25 P.M., the House agreed to adjourn until Thursday, April 10, 2003, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, April 10, 2003.

ALFRED W. SPEER
Clerk of the House

